

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: **MARK WOLFF**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING  
**MARK WOLFF**  
9023 TASSAJARA CREEK RD  
SANTA MARGARITA, CA 93453

STATEMENT NO.: **S001603**  
CONTACT PHONE NO.: **(510) 223 - 8514**

Source Name: **FIVEMILE CREEK**  
Tributary To: **SOUTH FORK STANISLAUS RIVER**  
County: **Tuolumne**  
Diversion Within: **SW¼ of SE¼ Section 32 T03N, R15E, MB&M**

Year of First Use: **1897**  
Parcel Number: **022-230-33-00**

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
2007 JUN 26 11:42 AM

- A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right ☒ Other (explain): \_\_\_\_\_
- B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_
- C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) \_\_\_\_\_ Other cubic feet/second

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004	continuous →												3,588
2005	continuous →												3,588
2006	continuous →												3,588

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation or two acres acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) hydro-power generation
- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)  
none
- F. Please answer only those questions below which are applicable to your project.
1. Conservation of water
- a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO ☒  
Describe any water conservation efforts you have initiated: \_\_\_\_\_
- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:
- Reduction in Diversions:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)
- Reduction in consumptive use:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)
- I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

ES0130231  
67 7/25/07

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 20, 2007, 2007 at Santa Margarita, California

SIGNATURE: Mark F. Wolff

PRINTED NAME: Mark (first name) F. (middle initial) Wolff (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S001603%\$2001

1999, 2000, 2001

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: ROBERT DRUMMOND

*new owner information:*

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

ROBERT DRUMMOND  
2920 CINDY CT  
RICHMOND, CA 94803

*Mark Wolff*  
*9023 Tassajara Creek Road*  
*Santa Margarita, CA 93453*

STATEMENT NO.: S001603  
CONTACT PHONE NO.: (510)223-8514

FOR ONLINE REPORTING-AT  
[www.waterrights.ca.gov](http://www.waterrights.ca.gov)

USER NAME: S001603  
PASSWORD: C22012

Source Name: FIVEMILE CREEK  
Tributary To: SOUTH FORK STANISLAUS RIVER  
County: Tuolumne  
Diversion Within: SW1/4 of SE1/4 Section 32, T03N, R15E, MB&M

Year of First Use: 1897  
Parcel Number: 022-230-33-00  
*022-230-44-00*

A. Water is used under: Riparian claim ☒ Pre 1914 right ☒ Other (explain):

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1999	Continuous												3,588
2000	continuous												3,588
2001	continuous												3,588

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation *c on 2 acres* acres; Stockwatering; Domestic *2-10*;

Other (specify) *hydro power generation*

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
*none*

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒  
Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 26, 2007 at Santa Margarita, CA, California

SIGNATURE: Mark E. Wolff

PRINTED NAME: Mark (first name) E. (middle init.) Wolff (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"



S001603%S%2003

2001, 2002, 2003

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

**Please Complete and Return This Form by August 1, 2004.**

**\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

**Owner of Record: MARK WOLFF;**

STATEMENT NO.: S001603  
CONTACT PHONE NO.: (510)223-8514

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**MARK WOLFF**  
**9023 TASSAJARA CREEK RD**  
**SANTA MARGARITA, CA 93453**

**Source Name:** FIVEMILE CREEK  
**Tributary To:** SOUTH FORK STANISLAUS RIVER  
**County:** Tuolumne  
**Diversion Within:** SW1/4 of SE1/4 Section 32, T03N, R15E, MB&M

**Year of First Use:** 1897  
**Parcel Number:** 022-230-33-00

A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right X Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons _____ Acre-feet _____ Other <u>cubic ft/sec.</u>														Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		
2001	continuous													3,588
2002	continuous													3,588
2003	continuous													3,588

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation in 2 acres acres; Stockwatering \_\_\_\_\_; Domestic 2-10 \_\_\_\_\_;

Other (specify) hydro power generation

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES X NO \_\_\_\_\_  
Describe any water conservation efforts you have initiated: Hydro-power generation system is turned off when not in use.

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO X

JUL 29 2004

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: July 25, 2004 at Columbia, California

SIGNATURE: Mark Wolff

PRINTED NAME: Mark F. Wolff  
(first name) (middle init.) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: HERBERT F WAY, ROBERT DRUMMOND

ROBERT DRUMMOND  
2920 CINDY CT  
RICHMOND, CA 94803

STATEMENT NO: S001603

SOURCE: FIVEMILE CREEK  
TRIBUTARY TO: SOUTH FORK STANISLAUS RIVER  
COUNTY: TUOLUMNE  
DIVERSION  
WITHIN: SW $\frac{1}{4}$  OF SE $\frac{1}{4}$  SECTION 32, T3N, R15E, MB&M.

TELEPHONE NUMBER:  
(510) 223-8514  
YEAR OF FIRST USE: 1897  
PARCEL NO: 022.230.33.00  
022.230.44.00

A. Water is used under: Riparian claim ☒ Pre 1914 right ☒ Other (explain):

B. Year of first use (Please provide if missing above):

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons \_\_\_\_\_ Acre-feet \_\_\_\_\_ Other cubic ft. per sec.

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	CONTINUOUS												3,588
1997	CONTINUOUS												3,588
1998	CONTINUOUS												3,588

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ☒ ~ 2 acres acres; Stockwatering \_\_\_\_\_; Domestic ☒ 2-10 persons

Other (specify) hydro power generation

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
none

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Describe any water conservation efforts you may have started: \_\_\_\_\_
- b. \_\_\_\_\_
- c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:  
19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X

- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 3/11, 19 99 at Richmond, California

SIGNATURE: Robert J. Drummond 50% owner

PRINTED NAME: Robert J. Drummond  
(first name) (middle init.) (last name)

COMPANY NAME: Herbert & Wayne 50% owner

HERBERT & WAYNE

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



5-1 603

96 SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE  
DIV. WATER RIGHTS  
SACRAMENTO

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: HERBERT F WAY, ROBERT DRUMMOND

ROBERT DRUMMOND  
2920 CINDY CT  
RICHMOND, CA 94803

STATEMENT NO: S001603

SOURCE: FIVEMILE CREEK  
TRIBUTARY TO: SOUTH FORK STANISLAUS RIVER  
COUNTY: TUOLUMNE  
DIVERSION

TELEPHONE NUMBER:  
(510) 223-8514  
YEAR OF FIRST USE: 1897

PARCEL NO: 022-230-33-00  
022-230-44-00

WITHIN: SW¼ OF SE¼ SECTION 32, T3N, R15E, MB&M.

- A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) 1897
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) cubic ft. per sec.

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	CONTINUOUS												→ 3,588
1994	CONTINUOUS												→ 3,588
1995	CONTINUOUS												→ 3,588

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation ☒ 2 acres acres; Stockwatering \_\_\_\_\_; Domestic ☒ 2-10  
Other (specify) hydro power generation

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
None

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/27, 19 96, at Richmond, California

SIGNATURE: Robert J. Drummond

PRINTED NAME: Robert (FIRST NAME) John (M. NAME) Drummond (LAST NAME)

COMPANY NAME: \_\_\_\_\_

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.



5-1 603

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

12-13-95

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S001603  
OWNER OF RECORD: HERBERT F WAY

HERBERT F WAY  
2810 PRINCE ST  
BERKELEY, CA 94705

and Robert J. Drummond  
2920 Cindy Ct.  
Richmond, CA 94801

STATE WATER RESOURCES  
CONTROL BOARD  
JUL - 6 PM 3:03  
DIV. OF WATER RIGHTS  
SACRAMENTO

SOURCE: FIVEMILE CREEK  
TRIBUTARY TO: SOUTH FORK STANISLAUS RIVER  
COUNTY: TUOLUMNE  
DIVERSION  
WITHIN: SW¼ OF SE¼ SECTION 32, T3N, R15E, MDB&M.

TELEPHONE NUMBER:  
(209) 533-9339  
YEAR OF FIRST USE: 1897  
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) 1897

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) cubic ft. per sec

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	continuous	—	—	—	—	—	—	—	—	—	—	—	3,588
1993	continuous	—	—	—	—	—	—	—	—	—	—	—	3,588
1994	continuous	—	—	—	—	—	—	—	—	—	—	—	3,588

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation ☒ acres; Stockwatering \_\_\_\_\_; Domestic ☒ 2-10  
Other (specify) hydro power generation

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

no changes

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

none

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/29, 1995, at Richmond, California

SIGNATURE: Robert J. Drummond

PRINTED NAME: Robert (FIRST NAME) John (M. NAME) Drummond (LAST NAME)

COMPANY NAME: \_\_\_\_\_

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 5001603

DIVERSION SITE:

OWNER'S NAME

Robert

John Drummond

(FIRST)

(MIDDLE)

(LAST)

PARCEL NO. 022-230-33-00, 022-230-44-00

PLACE OF USE:

OWNER'S NAME

Robert

John

Drummond

(FIRST)

(MIDDLE)

(LAST)

1. PARCEL NO. 022-230-33-00

2. PARCEL NO. 022-230-44-00

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER

NAME

Robert

John

Drummond

(FIRST)

(MIDDLE)

(LAST)

MAILING ADDRESS

2920 Cindy Ct.

Richmond

CA

94803

(CITY)

(STATE)

(ZIP)

TELEPHONE NO. (510) 223 - 8514

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME

Herbert

F.

Way

(FIRST)

(MIDDLE)

(LAST)

MAILING ADDRESS

2810 Prince St.

Berkeley

CA

94705

(CITY)

(STATE)

(ZIP)

TELEPHONE NO. (510) 655 - 5443

2. NAME

(FIRST)

(MIDDLE)

(LAST)

MAILING ADDRESS

(CITY)

(STATE)

(ZIP)

TELEPHONE NO. ( ) -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

ADDRESS CHANGE OR NAME CHANGE

STATEMENT

S 1603

New Name or Address Change:

Holly D. Hayden-Fitzsimmons

P.O. Box 4504  
Sonoma, CA 95370

## STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 001603

HOLLY HAYDEN-FITZSIMMONS  
PO BOX 4504  
SONORA CA 95370TELEPHONE NUMBER:  
(209) 533-9339

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: FIVEMILE CREEK

TRIBUTARY TO: SOUTH FORK STANISLAUS RIVER

COUNTY: TUOLUMNE

YEAR OF FIRST USE: 1897

## DIVERSION

WITHIN: SW1/4 OF SE1/4 SECTION 32, T03N, R15E, MDB&amp;M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_B. Year of first use (Please provide if missing above) 1897C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) cubic ft per sec

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	<u>continuous</u> →												3,588
1992	<u>continuous</u> →												3,588
1993	<u>continuous</u> →												3,588

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic ☒Other (specify) hydro power andE. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)none

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 20, 1994, at Sonora, CaliforniaSignature: Holly Hayden-Fitzsimmons

(916) 657-1875  
FAX: 657-1485

In Reply Refer  
to:332:WR:S-1603

SEPTEMBER 29 1994

Herbert F. Way & Robert Drummond  
c/o Herbert F. Way  
2810 Prince Street  
Berkeley, CA 94705

Dear Mr. Way:

STATEMENT OF WATER DIVERSION AND USE NUMBER 1603, TUOLUMNE COUNTY

The present holder of record for the above numbered statement has advised us that the property has been transferred to you. Our records will be updated to show you as owner of this statement.

The next supplemental statement forms will be sent to you in January 1997.

If you have any questions or concerns, please contact me at the above number.

Sincerely,

ORIGINAL SIGNED BY:

Wynne Rowlands  
Associate Land and Water Use Analyst  
Application Unit #2

Enclosure

cc: Robert Drummond  
2920 Cindy Court  
Richmond, CA 95802

Holly Hayden Fitzsimmons  
P.O. Box 4504  
Sonora, CA 95370

bcc: OPG/KSN

WRowlands:larchuleta:9-28-94  
o:forms:40:s1603.40b

WR 40b (5/94)

SURNAME  
DWR 540 REV. 1/EE

Rowlands 9/29/94

BE 3910E



WR  
May 20 1994

To: State Water Resources  
Central Board  
Division of Water Rights  
P.O. Box 2000 Sacramento, CA  
95812-2000  
(916) 657-1875

Duplicate

To Whom it may concern

This is to notify this department the  
Riparian water right in reference  
to the diversion statement no: 001603  
is to be transferred to the  
following parties

Herb Way  
2810 Prince St  
Berkeley CA 94705  
(510) 655 5443

Herbert F. Way  
2810 Prince Street  
Berkeley, California 94705

and  
Robert Drummond  
2920 Cindy Ct  
Richmond, CA  
(510) 223 8514

Nally Hayden Fitzsimmons

STATE WATER RESOURCES  
CONTROL BOARD

1994 JUN 24 PM 2:57

DIV. OF WATER RIGHTS  
SACRAMENTO

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 001603

~~HOLLY HAYDEN-FITZSIMMONS~~  
~~P.O. BOX 4584~~  
~~SONORA CA 95370~~

Herbert F. Way & Robert Drummond  
70 Herb Way  
2810 Prince Street  
Berkeley, CA 94705

TELEPHONE NUMBER:  
(202) 533-9339

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE

*Envelope return*  
Herbert F. Way,  
2810 Prince Street  
Berkeley, California 94705

SOURCE: FIVEMILE CREEK

TRIBUTARY TO: SOUTH FORK STANISLAUS RIVER

COUNTY: TUOLUMNE

YEAR OF FIRST USE: 1897

DIVERSION

WITHIN: SW1/4 OF SE1/4 SECTION 32, T03N, R15E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) 1897

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:

☐ Gallons

☐ Acre-feet

☐ (other)

cubic ft per sec

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	<u>continuous</u>												3,588
1992	<u>continuous</u>												3,588
1993	<u>continuous</u>												3,588

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic ☒

Other (specify) hydro power and

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

none

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 20, 1994, at Sonora, California

Signature: Holly Hayden Fitzsimmons

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

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"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

May 20 1994

To: State Water Resources  
Central Board  
Division of Water Rights  
P.O. Box 2000 Sacramento, CA  
95812-2000  
(916) 657-1875

To Whom it may concern

This is to notify this department the  
Riparian water right in reference  
to the diversion statement no: 001603  
is to be transferred to the  
following parties

Herb Way  
2810 Prince St  
Berkeley CA 94705  
(510) 655 5443

and  
Robert Drummond  
2920 Cindy Ct  
Richmond, CA  
(510) 223 8514

Sally Hayden Fitzsimmons

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 OCT 21 PM 2:05

DIV. OF WATER RIGHTS STATEMENT NO: 0016  
SACRAMENTO

TELEPHONE NUMBER  
(714) 756-358

DIVERTER OF RECORD:

HOLLY HAYDEN-FITZSIMMONS

P O BOX ~~4929~~ 4504  
WALNUT CREEK, CA ~~94596~~

SONORA, CA 95370

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: FIVEMILE CREEK

TRIBUTARY TO: SOUTH FORK STANISLAUS RIVER

COUNTY: TUOLUMNE

DIVERSION

WITHIN: SW1/4 OF SE1/4 SECTION 32, T03N, R15E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replace all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons  
below are: ☐ Acre-feet

☒ cubic ft/sec (cfs)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	Continuous												
1989	Continuous												3.588
1990	Continuous												3.588
													3.588

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation

Stockwatering

Domestic 6 adults

Other (specify) for pelton + other water wheels

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: Oct 15, 1991, at Sonora

California

Signature: Holly Fitzsimmons

1990

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Appropriation of Water in California"

STATE OF CALIFORNIA  
LAND RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S1603

A. Name of person diverting water A.P. JONES  
Address P.O. Box 504 Jamestown, Calif.

B. Name of body of water at point of diversion FIVE MILE CREEK  
Tributary to STANISLAUS RIVER

C. Place of diversion S.W. 1/4 S.E. 1/4 Section 32, Township 3N, Range 15 E, Mt. Diablo  
Trolumne County, or locate it on sketch of section grid on reverse side with regard to section lines or  
prominent local landmarks.

D. Name of works MOUNTAIN LILY MINE

E. Capacity of diversion works 3.588

Capacity of storage reservoir                     

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
													<u>12 Mo.</u>

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as  
acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 3.588 cu. ft per sec.

Minimum annual water use in recent years same

Type of diversion facility: gravity ☒, pump ☐

Method of measurement: weir ☐, flume ☐, electric power meter ☐, water meter ☐, estimate ☒

F. Purpose of use (what water is being used for) Operate Pelton Wheel

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
1300 ft. up creek from mouth

H. Year of first use as nearly as known 1897

I. Name of person filing statement A.P. JONES

Position Owner                      Organization                     

Address P.O. Box 504 Jamestown, Calif.

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 1/28/67

Signature A.P. Jones

See Instructions on Reverse Side

5-213-06-00-0